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ONE PENN PLAZA

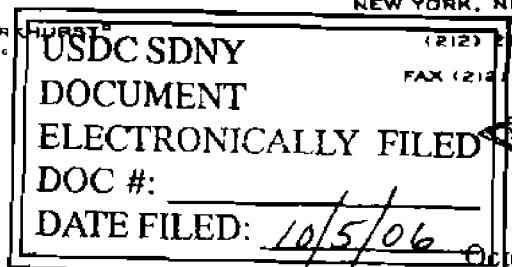
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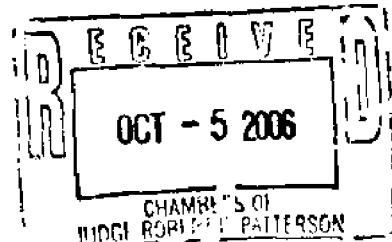
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October 4, 2006



VIA FACSIMILE

Honorable Robert P. Patterson  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

**MEMO ENDORSED**

Re: Local 100 Transport Workers Union, et al. v. Bernard Rosen, et al.  
06 Cir. 4787 (RPP)

Dear Judge Patterson:

We represent the Plaintiffs in the above-referenced case. Presently pending before the Court is the Plaintiffs' motion for a preliminary injunction. Both Defendants' answer and Plaintiffs' reply brief are now scheduled to be filed with the Court on October 6, 2006.

The parties remain hopeful that this matter may be resolved without resorting to further litigation. However, because there are significant issues that have to be resolved, the parties request that the matter remain on the Court's suspense docket for an additional 90 days. We believe this will permit the parties to fully explore all possibilities of settlement.

There is a conference scheduled in this action for Friday, October 6, 2006. The parties respectfully request that, if the Court grants the above request to continue this action on the suspense calendar, that the conference be adjourned.

We have been authorized by counsel for the Defendants to make this request of the Court.

*Opposition Granted  
Conference is adjourned  
to January 9, 2007 at 9 AM.  
So ordered  
10/5/06 Robert Patterson L  
USOT*

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The Court's considerations are greatly appreciated.

Respectfully submitted,

BROACH & STULBERG, LLP

By:

Judith P. Broach

JPB:lf

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Mr. Roger Toussaint  
Mr. Ed Watt